

CAUSE NO. 352-321532-20

<b>RICKY L. CHRISTOPHER,</b>	§	<b>IN THE DISTRICT COURT</b>
<b>Plaintiff,</b>	§	
	§	
<b>vs.</b>	§	<b>___ JUDICIAL DISTRICT</b>
	§	
<b>CINTAS CORPORATION,</b>	§	
<b>Defendant.</b>	§	<b>TARRANT COUNTY, TEXAS</b>

**PLAINTIFF’S ORIGINAL PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, RICKY L. CHRISTOPHER (“Plaintiff or Christopher”), and files this, Plaintiff’s Original Petition, complaining of and about CINTAS CORPORATION (“Defendant”), and for causes of action would respectfully show unto the court the following:

**I.**

**DISCOVERY CONTROL PLAN**

1. Plaintiff intends to conduct discovery under Level 3 in accordance with Rule 190.4 of the Texas Rules of Civil Procedure.

**II.**

**PARTIES**

2. Plaintiff Ricky L. Christopher is an individual resident of Dallas County, Texas.

3. Upon information and belief, Defendant Cintas Corporation is an Ohio corporation, headquartered in Cincinnati, that regularly conducts business in the State of Texas. Defendant may be served with process by delivery of Citation to its registered agent for service of process, Corporation Service Company, 211 E. 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701.

**III.**

**JURISDICTION AND VENUE**

4. Venue is proper in Tarrant County, Texas pursuant to Texas Civil Practice & Remedies Code § 15.001 *et seq.* because (1) Defendant regularly conducts business in Tarrant County; and (2) all of or a substantial amount of events giving rise to Plaintiff's claims occurred in Tarrant County. The amount in controversy is within the jurisdictional limits of this Court.

**IV.**

**FACTS**

5. This is a claim for Defendant's wrongful termination of Plaintiff under the Texas and federal anti-discriminatory laws, such as the American Disabilities Act ("ADA"), which prohibits discrimination and unfair treatment against an employee on the basis of age, disability, etc.

6. At all material times, Defendant was and is a private employer with more than 15 employees, and subject to all applicable state and federal anti-discriminatory laws.

7. Plaintiff was employed by Defendant for about ten (10) years prior to Plaintiff's wrongful termination.

8. In or around August 2019, Defendant wrongfully terminated Plaintiff due to improper medical discrimination, age discrimination, and violations under the ADA.

9. As a result of such wrongful termination, Plaintiff has suffered damages that include loss of salaried income, loss of commissions and bonus, loss of employment benefits including accrued vacation time, loss of vested shares of stock, and the failure of the company to return his vehicle as agreed.

V.

**CAUSES OF ACTION AGAINST DEFENDANT FOR IMPROPER MEDICAL  
DISCRIMINATION, AGE DISCRIMINATION, AND VIOLATIONS UNDER THE  
AMERICANS WITH DISABILITIES ACT**

**Discrimination by Employer**

10. Plaintiff repeats and realleges paragraphs 1 through 8 as if fully set forth herein.

11. Defendant, as an employer, was prohibited under Texas and federal law to not engage in unlawful and discriminatory employment practices against any employee with disabilities the same or similar to Plaintiff.

12. Defendant violated Texas and federal anti-discriminatory laws by committing one or more acts of unlawful employment practices, due to Plaintiff's disabilities and age, which were a direct and proximate cause of the occurrence, injuries, and damages set forth herein, as follows:

- a. The discharge of Plaintiff and discrimination in any other manner against Plaintiff in connection with his compensation and/or the terms, conditions, or privileges of his employment with Defendant;
- b. Limiting, segregating, and/or classifying the Plaintiff in the manner that deprived or tended to deprive Plaintiff of any employment opportunity and adversely affecting in any other manner the status Plaintiff as Defendant's employee;
- c. Retaliating against Plaintiff because he filed a complaint about discrimination, filed a charge of discrimination, and/or participated in an employment discrimination investigation lawsuit; and
- d. Failure to reasonably accommodate the known physical or mental limitations of Plaintiff.

**VI.**

**DAMAGES**

13. Plaintiff seeks to recover from Defendant any damages (actual and/or exemplary) due to Defendant's wrongful and discriminatory termination. Plaintiff has incurred medical expenses, physical pain and suffering, mental anguish, loss of salaried income, loss of commissions and bonus, loss of employment benefits including accrued vacation time, loss of vested shares of stock, and the failure of company to return his vehicle as agreed. As a result of above, Plaintiff seeks both compensation and exemplary damages within the jurisdictional limits of this Court for which she seeks recovery from Defendant.

14. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiff claims monetary relief of over \$100,000.00 but not more than \$250,000.00.

**VII.**

**REQUEST FOR ATTORNEY'S FEES**

15. Plaintiff also seeks to recover from Defendant his attorney's fees, costs, and any interest allowed by law.

**VIII.**

**REQUEST FOR DISCLOSURE**

16. Plaintiff requests that Defendant provide disclosure of all the information required by Texas Rules of Civil Procedure 194.2 (a) – (l).

**IX.**

**REQUESTS FOR PRODUCTION**

17. Pursuant to Texas Rule of Civil Procedure 196 and Texas Civil Practice & Remedies Code Section 74.351(s), Defendant is requested to produce its all documentation, contracts, and records related to the employment and wrongful termination of Plaintiff.

**X.**

**REQUEST FOR LEGAL HOLD**

18. Defendant is requested to hold and to take steps necessary to preserve all evidence relevant to this case during the pendency of this litigation, including but not limited to all documents, records, photographs, emails, letters, text messages, video, audio, and any other form of communication related to Plaintiff and/or the incident in question.

**XI.**

**USE OF DISCOVERY**

19. Pursuant to Texas Rule of Civil Procedure 193.7, Plaintiff intends to use all documents produced by Defendant in discovery conducted in this matter at any pretrial proceeding and/or trial.

**XII.**

**CONDITIONS PRECEDENT**

20. All conditions precedent to Plaintiff's right to recover and Defendant's liability have been satisfied. Plaintiff has exhausted his administrative remedies related to such discrimination and retaliation claims and received his right-to-sue letter from the U.S. Equal Opportunity Commission. This suit is timely filed and Plaintiff seeks to recover damages from Defendant and therefore appeals and seeks to vacate and reverse any administrative action of decision to the contrary.

**XIII.**

**JURY DEMAND**

21. Plaintiff respectfully request trial by jury of the issues in this case pursuant to Texas Rules of Civil Procedure 216 and has tendered the appropriate fee.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff RICKY L. CHRISTOPHER prays that Defendant be cited to appear, and that Defendant be ordered to provide the documents requested above, and that Plaintiff recovers damages both compensatory and punitive, attorney's fees, costs and interest from Defendant, as well as any other and further relief to which Plaintiff may be entitled.

Respectfully submitted,

**MILLER BRYANT, LLP**

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